

Monte J. White & Associates, PC
Monte J. White
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Wichita Falls, TX 76301
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:	§ CASE NO. 10-70010-HDH-13
	§
Daniel Cole Cantrell	§
and	§ JUDGE HARLIN D. HALE
Raynee Amber Cantrell	§
	§ HEARING DATE: 10/16/2013
DEBTORS	§ HEARING TIME: 10:00 A.M.

NOTICE OF HEARING, PRE-HEARING CONFERENCE
AND ATTACHED MODIFICATION OF PLAN AFTER CONFIRMATION

NOTICE OF HEARING

On 10/16/2013, which is at least twenty-eight (28) days from the date of service hereof, at 10:00 o'clock A.M. a HEARING on the above and foregoing "Modification of Plan After Confirmation" will be held before the Bankruptcy Judge in Room 222, U.S. Courthouse, 10TH AND LAMAR Street, WICHITA FALLS, Texas. Creditors are not required to attend unless they have objections to the Modification.

NOTICE OF PRE-HEARING CONFERENCE

A PRE-HEARING CONFERENCE will be held by the Trustee at 8:30 o'clock A.M. prior to the above hearing time at the following location 10TH AND LAMAR STREET, WICHITA FALLS, TEXAS. Hearings on Motions to Modify Plans with objections not resolved at the PRE-HEARING CONFERENCE will be heard by the Court at the scheduled Hearing time.

NOTICE is hereby given that pursuant to 11 USC 1329 the attached "Modification of Plan" dated 08/27/2013, will be approved by the Court as the Debtor(s) Modified Chapter 13 Plan Unless a party in interest files a written "Objection to the Modification" within twenty-one (21) days of service hereof, and the Debtor has made any subsequent payments required under the Modified Plan. An "Objection to Modification" shall be made in writing to the following: U.S. Bankruptcy Court, Clerks Office, 1100 Commerce Street Room 12A24, Dallas, TX 75242, with copies sent to Walter O'Cheskey, Chapter 13 Trustee, 6308 Iola, Lubbock, TX, 79424 and Debtor(s) Attorney at the above address.

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:

Daniel Cole Cantrell

and

Raynee Amber Cantrell

DEBTOR(s)

§ CASE NO. 10-70010-HDH-13

§

§ HEARING DATE: 10/16/2013

§ HEARING TIME: 10:00 A.M.

SECOND MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 08/27/2013

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 1/14/2010
2. Date of Section 341 Meeting: 2/9/2010
3. First Payment Date: 2/13/2010
4. Date of Confirmation: 3/17/2010
5. Total Plan Term Prior to this Modification: 60
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 44
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 16
8. Amount of Arrears through the month prior to the date the Modification is filed: NONE
9. Date plan payments are to resume: 10/13/2013
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$17,593.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$17,591.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: \$356.00
13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:

TRCC 10/6/2010; First Modification 6/18/2012

II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

 x INCREASE monthly payment from \$179.00 per month to \$900.00 per month
(must coincide with resume date shown in item 9 above)

Any arrearage indicated in item 8 above shall be cured by the following method: N/A

III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$900.00 will resume on or before 10/13/2013 for 16 months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$20,813.00 to \$32,349.00

If the base amount has changed complete the following:

- | | |
|--|--------------------|
| 1. Total Paid in as of the month prior to Modification Approval: | \$17,949.00 |
| 2. (+)Plus Total Payments to be made through the Remainder of Plan:
(Making up any arrearage in item 9 above) | \$14,400.00 |
| 3. (=) New Base Amount | <u>\$32,349.00</u> |

IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2007-2. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

X The unsecured creditor pool remains \$0.

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO

A	S-Lakeview Loan Servicing	Post-petition mortgage arrears	\$11,145.04	\$696.57 per month
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Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee;

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Per Agreed Order entered with the Court on 8/21/2013.

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

N/A

Respectfully submitted,

/s/Monte J. White
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation, Notice of Hearing and Pre-Hearing Conference has been served by me on 08/27/2013, on all parties on the attached matrix, by United States First Class Mail, proper postage affixed.

/s/Monte J. White
Attorney for Debtor(s)

Label Matrix for local noticing
0539-7

Case 10-70010-hdh13
Northern District of Texas
Wichita Falls
Tue Aug 27 16:21:47 CDT 2013

A-1 Collection Agency-Southwest Mem
715 Horizon Drive
Grand Junction, CO 81506-8700

United States Trustee
1100 Commerce Street
Room 976
Dallas, TX 75242-0996

Adv Ntwk Sys-Laplata Co County
215 Pitkin
Grand Junction, CO 81501-7805

1100 Commerce Street
Room 1254
Dallas, TX 75242-1305

Agency Of Cr Cntrl-Colorado Imaging Asso
2014 S Pontiac Way
Denver, CO 80224-2412

Allied Home Mortgage
1 Corporate Center Drive, Suite 360
Lake Zurich, IL 60047

Allied Home Mortgage Capital Corp
PO Box 660592
Dallas, TX 75266-0592

Allied Interstate-Direct Energy
PO Box 1954
Southgate, MI 48195-0954

American Infosource Lp As Agent for
World Financial Network National Bank As
Maurices
PO Box 248872
Oklahoma City, OK 73124-8872

Animas Credit Union
850 Municipal Driv
Farmington, NM 87401-2663

Bank Of America
Po Box 17054
Wilmington, DE 19850-7054

Capital One Auto Finance
3905 N. DALLAS PARKWAY
PLANO, TX 75093-7892

Capital One Auto Finance
3901 N Dallas Pkwy
Plano, TX 75093-7864

Capital One Auto Finance, CO Ascension Capit
P.O. Box 201347
Arlington, TX 76006-1347

Capital One, N.A.
Bass & Associates, P.C.
3936 E. Ft. Lowell Road, Suite No. 200
Tucson, AZ 85712-1097

Cdi Affiliated Service-Mercy Med Durango
1451 N Hartman St
Boise, ID 83704-8849

City of Iowa Park-Iowa Park ISD-WC
CO Harold Lerew
PO Box 8188
Wichita Falls, TX 76307-8188

Direct Energy
P.O. Box 180
Tulsa, OK 74101-0180

Durango Credit & Coll-Giant Conoco
3050 Main Ave
Durango, CO 81301-4245

Durango Credit & Coll-Mercy Medical Ctr
3050 Main Ave
Durango, CO 81301-4245

Durango Credit & Coll-Radiology Associa
3050 Main Ave
Durango, CO 81301-4245

Durango Credit & Coll-Richard Wilson DDS
3050 Main Ave
Durango, CO 81301-4245

EZ Rent
1717 9th Street
Wichita Falls, TX 76301-5002

FIA Card Services aka Bank of America
POB 3001
Malvern, PA 19355-0701

First Premier Bank
601 S Minnesota Ave
Sioux Falls, SD 57104-4868

GE Consumer Finance
For GE Money Bank
dba DISCOUNT TIRE-GEMB
PO Box 960061
Orlando FL 32896-0661

GEMB - HH Gregg
Attention: Bankruptcy
PO Box 103106
Roswell, GA 30076-9106

(p)HSBC BANK
ATTN BANKRUPTCY DEPARTMENT
PO BOX 5213
CAROL STREAM IL 60197-5213

HSBC Bank Nevada, N.A.
Bass & Associates, P.C.
3936 E. Ft. Lowell Rd., Suite No. 200
Tucson, AZ 85712-1097

IOWA PARK CITY & 1SD
 CO PERDUE BRANDON FIELDER COLLINS & MOT
 PO BOX 8188
 WICHITA FALLS TX 76307-8188

(p) INTERNAL REVENUE SERVICE
 CENTRALIZED INSOLVENCY OPERATIONS
 PO BOX 7346
 PHILADELPHIA PA 19101-7346

KTX Emergency Physicians
 PO Box 98596
 Las Vegas, NV 89193-8596

Kell West Regional Hospital
 5420 Kell West Blvd
 Wichita Falls, TX 76310

Lakeview Loan Servicing
 CO M & T Bank
 PO Box 840
 Buffalo, NY 14240-0840

Lowes - MBGA
 Attention: Bankruptcy Department
 PO Box 103106
 Roswell, GA 30076-9106

(p) M&T BANK
 LEGAL DOCUMENT PROCESSING
 1100 WHERLE DRIVE
 WILLIAMSVILLE NY 14221-7748

Monte J. White & Associates
 1106 Brook Ave
 Wichita Falls TX 76301-5009

Nelnet Loan
 Attn: Claims
 PO Box 17460
 Denver, CO 80217-0460

Nelnet on behalf of COAC
 College Access Network
 1560 Broadway Suite 1700
 Denver CO 80202-5159

PRA Receivables Management LLC
 PO Box 41067
 Norfolk, VA 23541-1067

PRA Receivables Management, LLC
 As Agent Of Portfolio Recovery Assocs.
 CO Lowes
 POB 41067
 NORFOLK VA 23541-1067

PRA Receivables Management, LLC
 As Agent Of Portfolio Recovery Assocs.
 CO Southwestern Bell Telephone
 POB 41067
 NORFOLK VA 23541-1067

(p) PORTFOLIO RECOVERY ASSOCIATES LLC
 PO BOX 41067
 NORFOLK VA 23541-1067

Premier Bankcard-Charter
 P.O. Box 2208
 Vacaville, CA 95696-8208

San Juan Regional Medical Center
 801 West Maple Street
 Farmington, NM 87401-5630

(p) TXU ENERGY RETAIL COMPANY LP
 CO BANKRUPTCY DEPARTMENT
 PO BOX 650393
 DALLAS TX 75265-0393

WICHITA COUNTY
 CO PERDUE BRANDON FIELDER COLLINS & MOT
 PO BOX 8188
 WICHITA FALLS TX 76307-8188

Wfnnb-Maurices
 PO Box 182273
 Columbus, OH 43218-2273

eCAST Settlement Corporation
 CO Bass & Associates, P.C.
 3936 E Ft. Lowell, Suite 200
 TUCSON, AZ 85712-1083

Daniel Cole Cantrell
 708 S Park Ave
 Iowa Park, TX 76367-2635

Monte J. White
 Monte J. White & Associates, P.C.
 1106 Brook Avenue
 Hamilton Place
 Wichita Falls, TX 76301-5009

Raynee Amber Cantrell
 708 S Park Ave
 Iowa Park, TX 76367-2635

Walter 12,13 Ocheskey
 6308 Iola Avenue
 Lubbock, TX 79424-2735

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

HSBC
 HSBC Retail Services Attention: Bankru
 PO Box 15522
 Wilmington, DE 19850

IRS Special Procedures
 1100 Commerce St., Room 951
 Mail Stop 5029 DAL
 Dallas, TX 75246

M & T Bank
 PO Box 62182
 Baltimore, MD 21264

Portfolio Recovery Associates, LLC
PO Box 41067
Norfolk VA 23541

TXU Energy
200 W John Carpenter Fwy
Irving, TX 75039

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Allied Home Mortgage Corporation
1 Corporate Center Drive, Suite 360
Lake Zurich, IL 60047

(d)Capital One Auto Finance
3905 N. Dallas Parkway
Plano, TX 75093-7892

(d)Capital One, N.A.
Bass & Associates, P.C.
3936 E. Ft. Lowell Road, Suite No. 200
Tucson, AZ 85712-1097

(u)HSEC Bank Nevada, N.A.

(d)eCAST Settlement Corporation
CO Bass & Associates, P.C.
3936 E Ft. Lowell, Suite 200
Tucson, AZ 85712-1083

End of Label Matrix
Mailable recipients 53
Bypassed recipients 5
Total 58